



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

JUL 10 2014

CERTIFIED MAIL 7009 1680 0000 7663 6391
RETURN RECEIPT REQUESTED

REPLY TO THE ATTENTION OF:

Ms. Rebecca Faas
President
INOV8 International, Inc.
67 Kraft Street
La Crosse, Wisconsin 54603

Re: Notice of Violation
EPA ID No: None

Dear Ms. Faas:

On November 20, 2013, a representative of the U.S. Environmental Protection Agency inspected INOV8 International, Inc. ("INOV8" or "Facility") located in La Crosse, Wisconsin. The purpose of the inspection was to evaluate INOV8's compliance with certain provisions of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6901 *et seq.*--specifically, regulations related to the management of hazardous waste, used oil and universal waste. A copy of the inspection report is enclosed for your reference.

Based on information provided by INOV8 personnel during the inspection and in your March 6, 2014 response to an EPA-issued information request dated February 10, 2014, EPA finds that INOV8 was in violation of universal waste requirements of the Wisconsin Administrative Code (WAC) and of the U.S. Code of Federal Regulations (CFR).

Certain wastes may be managed under universal waste standards as an alternative to full regulation as hazardous wastes. Among other requirements, a small quantity handler of universal waste must manage used lamps according to the following:

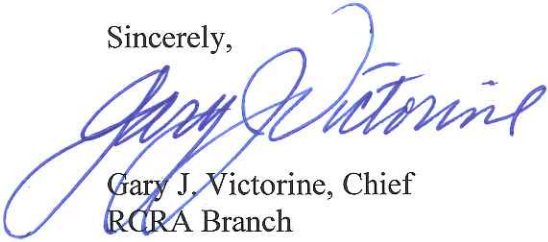
- Used lamps shall be managed in a manner that prevents breakage or the release of any universal waste components by containing unbroken lamps in structurally sound packaging that is compatible with the contents of the lamps and will prevent breakage during normal handling conditions. The packaging shall remain closed. See, WAC s. NR 673.13(4)(a) [40 CFR § 273.13(d)(1)]; and
- Each universal waste lamp or container of lamps shall be marked with one of the following phrases: "Universal Waste – Lamp(s)," "Waste Lamp(s)," or "Used Lamps." See, WAC s. NR 673.14(5) [40 CFR § 273.14(e)].

At the time of the inspection, eight 4-foot lamps and five 8-foot lamps were stored in a corner of the facility mechanical room. These used lamps were neither containerized nor labeled. INOV8, therefore, violated the above-mentioned universal waste requirements.

Under Section 3008(a) RCRA, 42 U.S.C. § 6928(a), EPA reserves the right to bring further enforcement actions, including an order for civil penalties, against INOV8 for the violations identified in this letter. Although this letter is not such an order, we request that you submit a response in writing to this office no later than 30 days after receipt of this letter documenting the actions, if any, which you have taken since the inspection to establish compliance with the universal waste requirements noted above.

You should submit your response to Brenda Whitney, United States Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, LR-8J, Chicago, Illinois 60604. If you have any questions regarding this letter, please contact Ms. Whitney at (312) 353-4796.

Sincerely,



Gary J. Victorine, Chief
RCRA Branch

Enclosures

cc: Scott Szymanski, WDNR (scott.szymanski@wisconsin.gov)
Michael Ellenbecker, WDNR (michael.ellenbecker@wisconsin.gov)

